

(DRAFT) MINUTES (DRAFT)

Citizen Review Board Meeting
Old City Hall, 510 Greene Street

Monday, March 23, 2009
6:00 p.m.

1. CALL THE MEETING TO ORDER

Meeting was called to order by Chairman Bryan Green at 6:00 p.m.

2. ROLL CALL

BOARD MEMBERSHIP/AGENTS PRESENT:

Bryan Green
Virginia Altobello
Mark Kielsgard
Kevin Collins
Trice Denny
Susan Srch
Robert Cintron, Attorney for the Board
Stephen Muffler, Executive Director of the Board
Inspector Randy Smith-KWPD/IA

ADDITIONAL ATTENDEES:

Donna Calvert
Janeth Del Cid
(others in the audience did not sign in)

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES:

Motion to approve the minutes of the February 23, 2009 meeting was made by Susan Srch and seconded by Trice Denny.

Vote: Unanimous Approval

5. TRACKING CHART REVIEW

Executive Director Muffler reviewed the files on the tracking chart and many of the pending complaints (at least 1 to 3) will most likely go before the Board next meeting. File # 09-004 has been completed by IA and Randy Smith of IA explained to the Board the others are almost all finished. IA representative Randy Smith

explained that the complainant in file 09-002 has represented he would NOT like to proceed with his complaint and efforts are being made to memorialize such an intent. Chairman Green requested IA to send the file to the CRB one way or another.

Calvert file's procedural posture was explained by Executive Director Muffler and clarified by Chairman Green that the complainant must fill out a new CRB complaint on new allegations and that her file would not be reviewed by the CRB because it was not originally or ever filed with the CRB. Chairman Green asked if Donna Calvert wished to give a statement to the Board at this time and she declined.

Randy Smith explained that the ICOP training policy will be presented to the Board soon with a possible presentation of the system to the Board members.

6. CONTINUED OR NEW BUSINESS

a. File Review: Omar Brown CRB #07-001 (Board update on actions taken & upcoming)

Executive Director Muffler refreshed the Board's recollection on the procedural posture of this file. Executive Director Muffler also briefed the Board on his efforts and research and newly filed deposition transcript of Sgt. Rodriguez in the Omar Brown criminal case. The deposition transcript addresses the subject affidavit language that is before the Board. The Board generally agreed that the Executive Director should complete as much of his investigation/research on this matter and upload it to the CRB website ASAP, in time for the officer's appearance before the board on April 27, 2009 under subpoena. Attorney Cintron stated to the Board that possibly there is movement in the criminal case that impacts or addresses the validity of the affidavit's language.

7. COUNSEL'S REPORT

Status on Omar Brown File –CRB #07-001 (Status on Subpoena Efforts)

Attorney Cintron explained to the Board that the subpoena on Sgt Rodriguez is in the process of service on the officer for the April 27, 2009, CRB hearing date. Attorney Cintron explained the process of questioning the officer at the CRB hearing and how it would be handled.

8. CHAIRMAN'S REPORT

Chairman Green explained that the KYPD Citizen's Police Academy is proceeding and everyone is learning from the experience.

9. BOARD MEMBERS REPORT/GENERAL COMMENTS

Virginia Altobello stated that she has sent out communications to the Mayor, City Commissioners, City Manager and others that the CRB Executive Director should be offered basic city coverage for health insurance. She stated that no one replied back to her. The Board generally discussed the CRB budget and if such health insurance coverage could be afforded to the CRB director next fiscal year. The Board directed the Executive Director to

collect information on the costs of such coverage and process of applying and also any budget comparisons between city department budget reductions versus CRB reductions.

10. EXECUTIVE DIRECTOR'S REPORT

- a. Budget Items FY 08-09 were discussed by the Board.
- b. Executive Director Muffler explained that he conducted a CRB Presentation to City Ambassador Class on March 5, 2009 and it was well received.
- c. Executive Director Muffler explained that he attended the CRB Summit in Miami from February 24 through February 26, 2009 and useful information was exchanged. Representatives from Jamaica's Ministry of Police Oversight were thankful for our efforts and would adopt the CRB website openness theme in their future operations.
- d. Executive Director Muffler explained that the City of Ft. Myers Clerk's Office requested copies of the CRB's budget for the past few years as their city is moving forward with setting up a CRB.

11. PSO/IA COMMENTS/FOLLOW-UP

IA representative Randy Smith reported that the police budget has been noticeably reduced over the years as well.

12. PUBLIC INPUT

Chairman Green directly asked if there was any public input from any of the attendees and none spoke.

13. MEDIA AND PRESS QUESTIONS

None

14. ADJOURNMENT

Meeting was adjourned at 6:45 p.m.

Respectfully Submitted

Stephen C. Muffler, Esquire
Executive Director